

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

PATRICK GERARD LYNCH,

Petitioner,

v.

Case No. 15-CV-692

ROBERT HUMPRHEYS,

Respondent.

ORDER

Currently before the court is the motion of Patrick Gerard Lynch to stay these proceedings and hold his petition in abeyance while he returns to state court to present a new claim for ineffective assistance of counsel. (ECF Nos. 28, 30.) The respondent does not object to this request. (ECF No. 31.)

Therefore, the motions to stay these proceedings and hold the petition in abeyance (ECF Nos. 28, 30) are **granted**. If he has not already done so, within **45 days** of the date of this order Lynch shall initiate proceedings in state court to present each additional claim he has not yet presented to the state court.

Within **45 days** of exhausting his remedies in state court or the expiration of time to seek further review of his claim, Lynch shall notify this court and state whether he

wishes to proceed with his present petition. **Failure to comply with these deadlines may result in the dismissal of the present petition.**

For administrative and statistical purposes, the Clerk shall close this case. The case will be reopened upon Lynch timely informing the court that he wishes to proceed with the present petition.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 26th day of May, 2016.


WILLIAM E. DUFFIN
U.S. Magistrate Judge